

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q62251

Eiji KASUTANI

Appln. No.: 09/732,701

Group Art Unit: 2623

Confirmation No.: 2921

Examiner: Jon C. CHANG

Filed: December 11, 2000

For: IMAGE RETRIEVAL DEVICE, IMAGE RETRIEVAL METHOD AND STORAGE  
MEDIUM STORING SIMILAR-IMAGE RETRIEVAL PROGRAM

**SUBMISSION OF EXECUTED DECLARATION UNDER 37 C.F.R. §1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a copy of an executed Declaration Under 37 C.F.R. § 1.132 signed  
by Eiji KASUTANI.


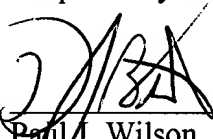
Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

 Respectfully submitted,  
  
Paul J. Wilson  
Registration No. 45,879

Date: February 2, 2005



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**DECLARATION UNDER 37 C.F.R. § 1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Eiji Kasutani, hereby declare and state:

THAT, I am the inventor and applicant of the invention entitled "IMAGE RETRIEVAL  
DEVICE, IMAGE RETRIEVAL METHOD AND STORAGE MEDIUM STORING SIMILAR-  
IMAGE RETRIEVAL PROGRAM" as disclosed and claimed in the above-referenced  
application, U.S. Application No. 09/732,701 filed December 11, 2000 (hereinafter, "the subject  
application");

THAT, in connection with the prosecution of the subject application and specifically the  
Office Action dated November 3, 2004, the Examiner has rejected claims 13-16, 18-21 and 23-  
27 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lee (U.S. Patent No.  
6,345,275) in view of Kasutani *et al.*, *Image Retrieval System Using Compact Color Layout  
Descriptor*, Materials of the 4<sup>th</sup> Image Media Processing Symposium, Japan, 29 September 1999,

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DECLARATION UNDER 37 C.F.R. § 1.132  
U.S. APPLN. NO. 09/732,701  
ATTORNEY DOCKET NO. Q62251

IMPS99, pp. 89-90 (hereinafter the "Kasutani *et al.* reference") and I have reviewed the Office Action in detail, including the Examiner's reasons for rejecting the claims;

THAT, the Kasutani *et al.* reference was published on September 29, 1999, listing Akio Yamada and Mutsumi Ohta as literary co-authors;

THAT, the features and characteristics of the Kasutani *et al.* reference relied on by the Examiner in rejecting the claims of the subject application mentioned above are my own work; and

THAT, Akio Yamada and Mutsumi Ohta were acting under my direction.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: January 17, 2005

Eiji Kasutani  
Eiji Kasutani

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